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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/500,984	04/25/2005	Peter A. Simonsen	578-20-PA	3149

22145 7590 12/09/2009

KLEIN, O'NEILL & SINGH, LLP
43 CORPORATE PARK
SUITE 204
IRVINE, CA 92606

EXAMINER	
LEIBY, CHRISTOPHER E	

ART UNIT	PAPER NUMBER
2629	

MAIL DATE	DELIVERY MODE
12/09/2009	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/500,984	SIMONSEN ET AL.	
	Examiner	Art Unit	
	CHRISTOPHER E. LEIBY	2629	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *18 September 2009*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,7-12,15,17,18,24,25,27,28,31-34,36,37,43,47,48,57 and 64-69* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1, 7-12, 15, 17, 18, 24, 25, 27, 28, 31-34, 36, 37, 43, 47, 48, 57, and 64-69* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

Detailed Action

1. **Claims 1, 7, 10, 15, 24-25, 27-28, 31-32, 43, 47-48, 57, and 64-69** are pending.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. **Claims 1, 7, 10, 15, 24-25, 27-28, 31-32, 43, 47-48, 57, and 64-69** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Nakamura et al.** (US Patent Application Publication 2001/0054990) in view of **Brewer** (Patent Application Publication 2003/0034934), and in further view of **Grabert** (US Patent Application Publication 2003/0085867).

Regarding **independent claims 1 and 24**, Nakamura discloses a method and arrangement for projecting a display (*abstract*), said method comprising; projecting a light pattern comprising one or more illuminated areas from a projector onto a screen (*figure 6A reference multiple display areas creating a display*), and projecting a picture from projector onto said screen into one or more illuminated areas (*paragraph [0053]*).

Nakamura does not specifically disclose wherein the method is for advertising or promoting. Nor does Nakamura disclose that the light

pattern defines a message or announcement area. Further, Nakamura does not specifically disclose wherein the outlines of the illuminated areas correspond to outlines of the screen.

Brewer discloses a plurality of vanity display panels for advertising and viewing text, graphics, and digital photographs in the form of private or commercial vanity display wherein each of the one or more illuminated areas has a shape selected from the group consisting of an icon and a letter (*figure 10 and paragraph [0056]*).

Grabert discloses wherein a projection system may have display areas that take various shapes. These shapes may be associated with the contour of instruments, etcs, and may display images in a dynamically changing shape (*paragraphs [0110]-[0111]*).

It would have been obvious to one skilled in the in art at the time of the invention to combine Nakamura's projection system with the methodology of Grabert in order to illuminate the appropriate display areas corresponding to the display logo as disclosed by Brewer, to replace Brewer's illumination source LCD for advertising since projection systems allow for display of video images without the need to create complicated liquid crystal display panel shapes as disclosed by Brewer.

Regarding **claim 7**, Brewer discloses a method, wherein the illuminated areas define a logo (*paragraph [0056]*).

Regarding **claim 10**, Nakamura discloses a method, wherein different pictures are shown in different illuminated areas (*paragraph [0053]*

wherein video signals represent information of still or motion pictures wherein and inherent to represent different types of pictures).

Regarding **claims 15, 47, and 48**, Nakamura discloses a method, wherein the pictures are motion pictures showing objects selected from the group consisting of at least one of inanimate objects and living beings (*paragraph [0053] wherein video signals represent information of still or motion pictures wherein and inherent to represent different types of pictures*).

Regarding **claim 25**, Nakamura discloses an arrangement, wherein the means for projecting comprises one or more projectors (*abstract and figure 3*).

Regarding **claim 32**, Brewer discloses an arrangement, wherein the one or more illuminated areas define a logo (*paragraph [0056]*).

Regarding **claim 43**, Brewer discloses an arrangement, wherein the screen comprises one or more adjacent screens (*figure 10 reference 310*).

Regarding **claim 57**, Nakamura disclose an arrangement, wherein the screen is arranged in front of a projector projecting at least one of the light pattern and the pictures (*figure 1 reference screen 30 in front of imager 40*).

Regarding **claims 64 and 67**, Brewer discloses wherein the one or more illuminated areas stand alone (*figure 10 reference wherein each letter stands alone*).

Regarding **claims 65, 66, 68, and 69**, it is inherent that advertising means consist of using a system for advertising on a roof (*reference billboards in any major city on a roof of a building*) of a building or handing in front

of a store entrance (*reference any public store with a hanging sign for advertising*). Further, since the current application provides no reasoning or support, beyond that of the inherent purpose of advertising, it is deemed to be a design preference with no bearing to the current invention.

4. **Claims 8-9, 11-12, 17-18, 33-34, 36-37** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Nakamura, brewer, and Grabert** and further in view of **Miyashita et al.** (US Patent 6,115,084), herein after referred to as Miyashita.

Regarding **claims 8 and 33**, Nakamura discloses a method and arrangement, wherein the projected light pattern is provided by editing a digital image defining said areas to be illuminated in order to provide a mask (*abstract and figure 1 reference video signal into signal processing section 20 which separates a video signal into separate colors which are then corrected into what should actually be displayed based on the image information by the correction processing section 60 paragraph [0053] and hence creating a mask*), the method comprising the following image processing steps of: cleaning the colors from within said areas (*paragraph [0049]-[0051] which separates color signals for adjusting/cleaning*), and drawing up the contours of said areas in the picture with a colored non-black line.

None of the applied references, Nakamura, Brewer, nor Grabert specifically disclose wherein the method comprises the step of darkening

the part of the image surround said areas nor drawing up contours of said areas in the picture with colored non-black lines.

Miyashita does disclose using black in non-display areas of a display (*column 27, lines 5-6*).

It would have been obvious to one skilled in the art at the time of the invention to combine Miyashita's methodology of display black in non-display areas to conserve power consumption of Nakamura's projection display since it will not be projecting colored or white bright light in areas not being displayed.

Further, it is obvious over Nakamura that if the video signal information requires colored areas surrounding the contour of the display area that a color contour line would be projected.

Regarding **claims 9 and 34**, Nakamura, Grabert, and Brewer disclose a method and arrangement, further comprising the step of editing captured pictures by use of said mask in order to have said pictures projected within said areas defined by said non-black line (*Nakamura: paragraph [0053] wherein images are corrected into displays of which video signals actually wanted displayed and Grabert: paragraph [0111] wherein those signals may be associated with the contour of dynamic images such as a logo disclosed by Gransden: abstract*).

Regarding **claims 11 and 36**, Grabert discloses a method and arrangement, wherein the step of editing the image comprises using an

alpha key (*paragraph [0111] wherein dynamic shapes and others includes alphanumeric characters*).

Regarding **claims 12 and 37**, Miyashita discloses a method and arrangement, wherein the step of darkening comprises providing the color type "black level 0" on the part surrounding said areas (*column 27 lines 5-6 wherein non-display areas are those areas surrounding the display areas and black level 0 is black*).

Regarding **claim 17**, Nakamura discloses a method, wherein the image processing is provided by an image-editing program on a computer (*figure 3 reference 60*).

Regarding **claim 18**, Nakamura discloses a method, wherein the editing of the captured picture is provided by a video-editing program (*figure 3 reference 60*).

5. **Claims 27-31** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Nakamura, Brewer, and Grabert**, and further in view of **Lunde** (US Patent Application Publication 2003/0189753).

Regarding **claims 27, 28, and 31**, Nakamura discloses an arrangement, wherein the projection system projects light onto a screen

However Nakamura does not discloses whether the screen is made of a material selected from the group consisting of at least one of plastic, wood, aluminum, steel and acrylic material.

Lunde discloses wherein a projection screen is made of an acrylic plastic wherein the front side is frosted or clear such as glass creating a translucent screen (*paragraph [0024]*)

It would have been obvious to one skilled in the art at the time of the invention to modify Nakamura's screen as disclosed by Lunde to create a stylized projected image as a design preference as disclosed by Lunde (*figure 6b*).

Response to Arguments

6. Applicant's arguments have been considered and are found unpersuasive. In regards to combination, Brewer is pertinent in disclosing a method and means for displaying dynamic images within the contour/confines of a screen resembling letters, icons, symbol, and/or some type of confined screen area apart from the normal in the art square display. In part, Brewer discloses wherein a screen or illuminated areas have a shape selected from the group consisting of an icon and a letter regardless of the type of display technology the screen shape is as claimed and therefor used within the rejection. Creating an LCD screen of such shapes would be considerably complicated and expensive when compared to a projection screen, which is normal in the art to be of a reflective material such as a sheet of paper. Further, Grabert discloses the ability of projection screens to project images into the contour of whatever various shape of the screen.

For Graberts example, automotive gauges are of different shapes and sizes but all may use projection displays to project images within the contours of the various shapes. The combination allows for screens enables to receive images to be of shapes such as letters or logos and that the projection system to be enabled to project within such confines. Further, is should be noted placement of the invention does not hold patentable weight, since advertising as defined requires it to be viewed by multiple people anywhere where multiple people would see such advertising would be considered inherent such the roof of a building and entrance to a store. Prosecution would also benefit when the amendment, such as mounting an advertising system on a roof of a building, is not readily found within applicant submitted IDS statements, such as JP 3050586. This action is final necessitated by amendment.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Son (KR Patent Application10-2000-066903, publication KR102002036628) discloses a rear projection screen shaped into a logo.

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHRISTOPHER E. LEIBY whose telephone number is (571)270-3142. The examiner can normally be reached on 9 - 5 Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alex Eisen can be reached on 571-272-7687. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

CL

November 30th, 2009

/Henry N Tran/

Primary Examiner, Art Unit 2629